July 3, 1973

Mr. Howard K. Kothe
Watson Leavenworth Kelton & Taggart
100 Park Avenue
New York, NY 10017

Re: Film Covering for Ventilated Cigarette Wrappers PM #592
Helf. 582-769

Dear Howard:

In response to the Office Action on this application, we must first point out that the specific coating composition of the invention, ethylene/vinyl acetate copolymer with a plasticizer, is nowhere described or hinted at in Figge or in either of the Tamol references. Tamol is concerned with coatings which are degradable by components of the smoke, primarily water, and the specific materials he discloses, unlike the present coating, are softenable or dispersible by water. It is true that Figge discloses materials which will be melted or sublimed by the heat of the advancing coal, but he does not show the criticality of the 65°C minimum softening temperature for security under storage conditions. Further, he does not suggest plasticized polymeric coatings; the sole instance which might be regarded as such is ethyl cellulose/monosodium phosphate/menthol as cited by the Examiner at Col. 4 L. 69; it seems to be merely a combination of individual coating materials.

To satisfy the requirement for a drawing, I suggest the use of the four figures from Tamol, 3,511,247 or possibly Fig. 1 and 2 only.

2026341932

Source: https://www.industrydocuments.ucsf.edu/docs/smkj0000

As for the objections on P. 2 of the action, "normally" may be left out of Claim 1; it may be argued that an upper temperature limit is unnecessary because this is an inherent limitation of the polymeric class, but if that is unacceptable, a softening point of not more than 210°C may be specified; and the determination of the effective amount of specific additives is readily determined by those skilled in the art, with the information of the examples as a basis. In Claim 2, "normally" or "normally solid" may be deleted. The cited requirement for "Markush practice" is new to me. I think that any compound in the Markush grouping which met the restrictions of Claim 1 would be operative. In Claim 5 "or pigment" may be deleted or it may be urged that a pigment is an inert filler and vice versa. Claim 8 is probably not critically important; it is certainly not the heart of the invention. Claim 12: has the examiner not heard of solid solutions?

Please let us know what more you may need for your response.

Sincerely,

G. Esler Inskeep
Assistant Patent Officer

/sb

cc: P. Eichorn
W. Johnson
T. Osdene
F. Resnik

20263411933

Source: https://www.industrydocuments.ucsf.edu/docs/smkj0000